blend comprising at least one bioabsorable component and a cyanoacrylate component. Regula merely discloses:

> A process for enhancing the security of implantable surgical devices secured to bone tissue comprising implanting a surgical device with a biocompatible adhesive and/or sealant provided in an amount effective to increase the security of the implanted surgical device.
>
> In another embodiment Regula also provided an implantable surgical device comprising and implantable surgical device coated with a biocompatible adhesive or sealant. (see column 1, lines 44 et seq.)

Regula then enumerates suitable adhesives. Suitable cyanocrylates adhesives are discussed at column 2, line 19-column 4, line 8. Then other suitable biocompatible adhesives are discussed at column 4, line 9-column 4, line 34. At column 4, line 35 et seq. suitable bioabsorbable materials which may be used as an adhesive are disclosed. Applicants respectfully direct Examiner's attention to Example 4 bridging columns 8 and 9, and specifically to Table 1, at column 9, which clearly shows that the Vetbond adhesive, the DMMM adhesive, and the PCL adhesive were comparatively tested and thus applied separately and not blended together.

**Response to rejection of claims 1 and 9-13 under 35 U.S.C. § 102 (e) as anticipated by Hyon (U.S. 6,103,778).**

Applicants respectfully submit that Hyon does not disclose every element of the presently pending claims at least for the following reasons. Hyon does not disclose a blend comprising at least one bioabsorbable component and one cyanoacrylate component wherein the bioabsorbable component is glycolide, trimethylene carbonate, dioxanone caprolactone, alkylene glycol, esteramide, or copolymers thereof.

Hyon merely disclosed "adhesive compositions of alpha-cyanoacrylate for surgical use" (see column 2, lines 40-41). At column 3, lines 20 et seq. Hyon discloses:

> In order to meet the above criteria, the present invention is a novel adhesive composition for surgical use, which is prepared by adding polymers to an alpha-cyanoacrylate adhesive composition to provide an easily biodegrading and bioabsorbing adhesive composition. The polymers include the co-polymer of DL-lactic acid and ∈-caprolactone or the co-polymer of DL-lactic acid, and ethylene glycol and ∈-caprolactone, or the co-polymer of the ethylene glycol and ∈-caprolactone.

**Response to the rejection of claims 1-18 as obvious over Hyon (6,103,778) in view of Bennett (5,543,218).**

Applicants respectfully traverse the above rejection at least for the following reasons. There is no disclosure in Hyon that the bioabsorable materials of Bennett would be suitable to blend with the presently claimed cyanoacylates to fabricate a surgical adhesive. Moreover, there is no disclosure in Bennett that the materials disclosed therein could be successfully blended with cyanoacrylate type materials to fabricate a surgical adhesive. Applicants respectfully submit that the only disclosure of the presently pending claims is in applicants' disclosure. Therefore, since the only motivation to combine the references resides in applicants' presently pending application, the reconsideration and withdrawal of this impermissible hindsight rejection is respectfully requested.

Therefore, applicants respectfully request that the rejection be withdrawn and claims allowed.

The Examiner is invited to contact the undersigned should he believe this would expedite prosecution of this application.

Respectfully submitted,

Date: 5/4/01

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Marked up Version

What is claimed is:

1. (Amended) A blend comprising at least one bioabsorbable component and a cyanoacrylate component wherein the bioabsorbable component is selected from the group consisting of glycolide, trimethylene carbonate, dioxanone, caprolactone, alkylene glycols, esteramides, and copolymers thereof.